

### **DETAILED ACTION**

1. This communication is in response to the RCE filed 1/21/2011 and amendment filed 12/27/10.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/27/10 has been entered.

#### ***Response to Amendment/Remarks***

3. Claims 164-168, 170-174, 176-180, 182-186, 188-192, 194, 196-199, 201-213, 216-219 and 221 are currently pending. [Refer to claims dated 12/27/2010].

Referring to page 2 of the Final rejection:

- Deficiency (i) status of all claims has been acknowledged. This deficiency is resolved.
- To resolve deficiency outlined under (ii), a supplemental Reissue Declaration must be filed which identifies at least one 35 U.S.C. §251 error which cover each of the aforementioned pending claims vis-à-vis the patented claims.
- The supplemental Reissue Declaration must set forth the dates of all amendatory submissions including the last one which amended the specification and/or claims. [37CFR 1.63(a)(2)].
- The Applicant's statement regarding claim support in the specification is acknowledged as being satisfactory.

4. In accordance with 37 CFR 1.175(b) (1), a supplemental reissue oath/declaration under 37 CFR 1.175(b) (1) must be received before this reissue application can be allowed.
5. Claims 164-199, 201-213, 216-219 and 221 are rejected as being based upon a defective reissue Declaration under 35 U.S.C. 251. See 37 CFR 1.175. The nature of the defect is set forth above.

***Allowable Subject Matter***

6. Claims 164-168, 170-174, 176-180, 182-186, 188-192, 194, 196-199, 201-213, 216-219 and 221 are allowed over the prior art.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Jagdish Patel whose telephone number is (571) 272-6748. The examiner can normally be reached on Monday – Friday from 8:00 AM- 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KRAMER JAMES A can be reached on (571)272-6783. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria VA, 22131-1450

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label

"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox Building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).

/JAGDISH N PATEL/

Primary Examiner, Art Unit 3693

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